

### **REMARKS/ARGUMENTS**

The office action of June 8, 2006 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 5, 15, 18, 19, 48, 49, 7, 8, 10-14, 26, 27, 29, 30, 34-36 and 48 remain in this application. Claims 1-4, 6, 9, 16, 37, 40-47 and 50 were previously canceled as being drawn to a non-elected invention and claims 17, 20-25, 28, 31-33, 38-39 and 49 have been canceled without prejudice or disclaimer.

Preliminarily, applicants note with appreciation the courtesies extended to the undersigned by Examiner Nguyen during the personal interview on August 1, 2006. The following remarks include applicants' report of the substance of interview pursuant to MPEP § 713.04.

#### **Section 112 Rejection**

Claims 26, 27 and 30 stand rejected under 35 U.S.C. § 112, first paragraph, for not reasonably providing enablement for the claimed limitation "detecting a physical presence...applying to a single active application." Applicants respectfully traverse this rejection

Applicants have amended claims 26, 27 and 30 to add the word "program" after application to clarify the claim scope. It was agreed that claims 26, 27 and 30 are enabled. In this regard, applicants referred to page 5, lines 6-18 of the specification, where a sensing of a user's hand by detecting contact or proximity to an auxiliary control is described. The sensed signal can provide the user with a display of status information without the user having activated (e.g., depress, turn, roll, etc.) the control. As discussed in the Related Art section at page 4, lines 8-10, "there is a need to provide a user with the ability to better determine the functionality and status of auxiliary controls regardless of their context, (e.g., active application or game)." Also, the specification describes at a number of places including on page 28, lines 4-9 that:

auxiliary controls (e.g., buttons, wheels) can detect a physical presence (e.g., a finger) contacting a touch sensitive surface thereof, the physical presence representing an explicit user request to display a display widget on a display screen and/or to generate other feedback (e.g., acoustic, tactile). The feedback can provide information to the user such as status information, control functionality, and help text. The information may vary from application to application.

Based on a fair reading of the specification including some of the problems that aspects of the invention address, one skilled in the art would readily understand that the status information that may be provided when detecting a physical presence contacting or proximate to an auxiliary is based on the currently active application and that the status information is provided without the control being activated. From this understanding, one skilled in the art would be able to write software code necessary to cause the status information associated with the control to be displayed based on the active application without undue burden or experimentation. In view of the above, claims 26, 27 and 30 are enabled.

#### Section 102 Rejection

Claims 5, 10, 12-15, 18, 19, 21, 33-35, 48, and 49, stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. patent no. 5,635,958 to Murai et al. ("Murai"). Applicants respectfully traverse this rejection.

As agreed during the interview, Murai neither teaches nor suggests in a first application program, displaying a first display widget on the display screen responsive to the step of detecting, the first display widget providing status information associated with the auxiliary control in the first application program, and in a second application program different from the first application program, displaying a second display widget on the display screen responsive to the step of detecting, the second display widget providing status information associated with the auxiliary control in the second application program. Indeed, Murai merely describes providing a functional description of an icon in a word processor program when detecting a user's finger proximate to a key. Hence, claim 5 is patentably distinct from Murai. Also, claims 15, 18, 19, and 48 depend from claim 5 and are allowable over Murai for the same reasons as claim 5, and further in view of the additional novel features recited therein.

As discussed the action rejects claim 10 for the same rationale as claim 5. However, claim 10 differs from claim 5 in certain aspects. Notably as agreed during the interview, Murai does not teach or suggest, and the action does not identify where Murai shows, changing the status information in the display widget responsive to a second auxiliary control other than the first auxiliary control as recited in claim 10.

As discussed, applicants noted an error in the last two responses with claim 12. Specifically, the last clause of the claim was inadvertently omitted – it was previously in February 20, 2003 and then omitted in the following two amendments. Namely, the feature of “the status information identifying currently running applications” is part of the claim feature of displaying a display widget on the display screen responsive to the step of detecting, the display widget providing status information associated with the auxiliary control. As discussed during the interview, Murai does not teach or suggest displaying a display widget on the display screen responsive to the step of detecting, the display widget providing status information associated with the auxiliary control, the status information identifying currently running applications. Claim 13 depends from claim 12 and is patentable for the same reasons as claim 12.

Claim 14 calls recites that the status information includes a task bar. The action points to the descriptive text lines at the bottom of the screen in Fig. 15 of Murai to show this feature. However, as discussed, descriptive text lines do not teach or suggest a task bar. Thus, claim 14 is patentably distinct from Murai.

Claim 34 calls for the status information identifying contents of a clipboard. To show this feature, the action relies on the “copy” icon of Fig. 15 of Murai and the disclosure of the description of the copy function that would occur when a user’s finger is proximate to a key corresponding to the copy function. Yet Murai, at most, discloses the description of the function associated with the “copy” icon. As such and as discussed, Murai neither teaches nor suggests status information identifying contents of a clipboard as called for in claim 34. Therefore, claim 34 is considered allowable over Murai.

According to claim 35, the status information identifies at least one of time, date, location, file type and size of most recently saved file. The action relies on the “file” icon in Fig. 15 of Murai to show this feature. However, the “file” icon showing a disk is known to be associated with the save function; Murai suggests nothing to the contrary. As discussed, Murai at most discloses providing a description of the save function associated with the file icon when a user’s finger is proximate to a key corresponding to the file function. Not surprisingly, Murai lacks a teaching or suggestion of status information identifying at least one of time, date,

location, file type and size of most recently saved file as recited in claim 35. Consequently, claim 35 is patentably distinct from Murai.

### Section 103 Rejections

Claims 7 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Murai in view of U.S. patent no. 6,118,450 to Proehl et al. ("Proehl"). Claims 11, 28 and 29 stand rejected 35 U.S.C. § 103(a) as being unpatentable over Murai in view of U.S. patent no. 6,710,771 to Yamaguchi et al. ("Yamaguchi"). Claim 36 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Murai in view of U.S. patent no. 6,040,817 to Sumikawa. Applicants respectfully traverse these rejections.

The action acknowledges that Murai does not disclose status information identifying at least one of track name, track time remaining, track length, album title and album length in a multimedia application. To overcome this deficiency, the action relies on Proehl. Contrary to the action's assertion however, one skilled in the art would not have modified Murai as suggested to obtain the claim 7 invention. Murai relates to providing a description of the function of an icon. Neither track name nor the other items in Proehl are description of functions. Thus, as discussed, assuming the combination of Murai and Proehl were proper, one skilled in the art would have done nothing more than provide a media icon and allowed a user to obtain a description of the function of the icon. One would not have provided status information associated with a media icon. For at least these reasons, the combination of Murai and Proehl, even if proper, would not have resulted in the claim 7 invention. Claim 8, which depends from claim 7, is allowable over the combination for at least the above reason.

Claim 11 depends from claim 10. Yamaguchi fails to overcome the deficiencies of Murai discussed above. Thus, the combination of Murai and Yamaguchi, even if proper, does not result in the claim 11 invention.

Claim 29 has been rewritten in independent form. As acknowledged by the action, Murai does not show status information being messaging related information including the number of new or unread regular or high priority messages, an in box window, brief information regarding at least one of the most recently received messages, and alert status are description of a function. To solve this problem, the action points to Yamaguchi. Thus, as discussed, assuming the

combination of Murai and Yamaguchi were proper, one skilled in the art would have done nothing more than provide a message icon and allowed a user to obtain a description of the function of the icon. One would not have provided status information that is message related information including the number of new or unread regular or high priority messages, an in box window, brief information regarding at least one of the most recently received messages, and alert status are description of a function associated with a messaging icon. For at least these reasons, the combination of Murai and Yamaguchi, even if proper, would not have resulted in the claim 29 invention.

Claim 36 calls for the feature of the auxiliary control being a key representing a mathematical operator, and in a spreadsheet application, the status information identifying the result if the mathematical operator is applied to data in a spreadsheet. The action admits that Murai does not show this features. To rectify this problem, the action points to Sumikawa. Thus, as discussed, assuming the combination of Murai and Sumikawa were proper, one skilled in the art would have done nothing more than provide a mathematical operator icon and allowed a user to obtain a description of the function of the mathematical operator icon. One would not have provided status information identifying the result if the mathematical operator is applied to data in a spreadsheet. For at least these reasons, the combination of Murai and Sumikawa, even if proper, would not have resulted in the claim 36 invention.

### **CONCLUSION**

All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,  
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